

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

SOFTEX LLC,

Plaintiff,

vs.

**DELL TECHNOLOGIES, INC. AND DELL,
INC.,**

Defendants.

Civil Action No. 1:22-cv-01309-DAE

**PLAINTIFF'S UNOPPOSED MOTION FOR LEAVE TO FILE A NOTICE OF
RELATED PROCEEDINGS IN SUPPORT OF ITS
OPPOSITION TO DELL TECHNOLOGIES, INC. AND DELL, INC.'S MOTION TO
STAY**

Softex LLC (“Softex”) respectfully moves the Court pursuant to Local Rule CV-7(B) to file a Notice of Related Proceedings in Support of its Opposition to Dell Technologies, Inc. and Dell, Inc.’s Motion to Stay. (ECF Nos. 76, 94). Specifically, Softex seeks leave to file a Notice of Related Proceedings informing the Court that each claim of U.S. Patent No. 8,506,649 has been disclaimed rendering the *inter partes* reviews of that patent moot. In support of its opposition, Softex states as follows.

1. Microsoft, Dell and Absolute filed *inter partes* reviews challenging the claims of the ’649 patent.
2. Softex statutorily disclaimed each claim (1-25) of the ’649 patent, leaving no claim remaining in the patent for the PTAB’s consideration. On March 19, 2024, the PTAB ordered an adverse judgment against Softex under 37 C.F.R. § 42.73(b)(2). (*Microsoft Corp. v. Softex LLC*, IPR2023-01185 (Paper No. 16), Exhibit 2.)

3. Softex's counsel conferred with counsel for Dell Technologies, Inc. and Dell, Inc., who does not oppose this motion.

WHEREFORE, Softex LLC respectfully requests that this Court grant leave to file the Notice of Related Proceedings attached hereto as Exhibit 1 in support of its opposition to Dell Technologies, Inc. and Dell, Inc.'s Motion to Stay.

Dated: March 20, 2024

Respectfully submitted,

/s/ Blair M. Jacobs

Blair M. Jacobs (WDTX. Bar No. 32010)
bjacobs@spencerfane.com
Christina A. Ondrick (WDTX. Bar No. 494625)
condrick@spencerfane.com
John S. Holley (SBN 24078678)
jholley@spencerfane.com
Spencer Fane LLP
1101 Pennsylvania Ave, NW Suite 300
Washington, D.C. 20004
Telephone: 816.474.8100
Facsimile: 202.370.8344

John B. Campbell (SBN 24036314)
jcampbell@McKoolSmith.com
McKool Smith, P.C.
303 Colorado Street, Suite 2100
Austin, TX 78701
Telephone: (512) 692-8700
Facsimile: (512) 692-8744

Casey L. Shomaker (SBN 24110359)
cshomaker@McKoolSmith.com
Matthew Folks (SBN 24116368)
mfolks@McKoolSmith.com
McKool Smith, P.C.
300 Crescent Court, Suite 1500
Dallas, TX 75201
Telephone: (214) 978-4218
Facsimile: (214) 978-4044

ATTORNEYS FOR SOFTEX LLC

CERTIFICATE OF SERVICE

I hereby certify that, on March 20, 2024, I caused the foregoing document to be electronically filed with the Clerk of Court using the CM/ECF system, and that system will cause all counsel of record who have appeared in this case to be served with a copy of the foregoing document.

/s/ Blair M. Jacobs _____

Blair M. Jacobs